

Introduced by

Energy and Natural Resources Committee

(At the request of the Public Service Commission)

1 A BILL for an Act to amend and reenact section 49-03-01.5 of the North Dakota Century Code,  
2 relating to an exclusion from the definition of public utility and rural electric cooperative.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 49-03-01.5 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **49-03-01.5. Definitions.**

7 As used in sections 49-03-01 through 49-03-01.5:

- 8 1. "Electric provider" means either an electric public utility or a rural electric cooperative.
- 9 2. "Electric public utility" means a privately owned supplier of electricity offering to supply  
10 or supplying electricity to the general public. The term does not include a person that  
11 uses an electric vehicle charging station to resell electricity to the public if the reseller  
12 has procured electricity from an electric service provider that is authorized to engage  
13 in the retail sale of electricity within the service area in which the electric vehicle  
14 charging service is provided, and the resale is for the charging of electric vehicles  
15 exclusively.
- 16 3. "Electric transmission line" means facilities for conducting electric energy at a design  
17 voltage of one hundred fifteen kilovolts or greater phase to phase and more than one  
18 mile [1.61 kilometers] long.
- 19 4. "Electric transmission provider" means an owner or operator, other than a rural electric  
20 cooperative, of a transmission line the costs of which are recovered directly or  
21 indirectly through transmission charges to an electric public utility.
- 22 5. "Person" includes an individual, an electric public utility, a corporation, a limited liability  
23 company, an association, or a rural electric cooperative.

- 1           6. "Rural electric cooperative" includes any electric cooperative organized under chapter  
2           10-13. An electric cooperative, composed of members as prescribed by law, shall not  
3           be deemed to be an electric public utility. The term does not include a person that  
4           uses an electric vehicle charging station to resell electricity to the public if the reseller  
5           has procured electricity from an electric service provider that is authorized to engage  
6           in the retail sale of electricity within the service area in which the electric vehicle  
7           charging service is provided, and the resale is for the charging of electric vehicles  
8           exclusively.
- 9           7. "Service area" means a defined geographic area containing existing or future service  
10          locations established by an agreement among electric providers and approved by the  
11          commission.
- 12          8. "Service area agreement" means an agreement between electric providers  
13          establishing service areas and designating service locations to be served by each  
14          provider under section 49-03-06.
- 15          9. "Service location" means the structures, facilities, or improvements on a parcel of real  
16          property to which electric service may be provided.